



MINUTES

of the

Ordinary Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 20th April 2023

Commencing at 9:00am

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OPENING

The Mayor declared the Meeting open at 9:00am.

COUNCIL PRAYER

The Mayor led the Council in the Opening Prayer.

ATTENDANCE

Cr SC O'Toole (Chair), Crs RD Avery, RG Fuhrmeister, WN Winks, SS Scriven and AC Benn
Mr Matthew Magin (Chief Executive Officer), Michelle Clarke (Director Finance Corporate Services).

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES

Cr Avery moved and Cr Winks seconded:

That the Minutes of the General Meeting held on 16 March, 2023 be confirmed.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

Nil

PUBLIC PARTICIPATION

Nil

DEPUTATIONS

Nil

DECLARATION OF INTEREST

Councillor Alex Benn declared a **Declarable Conflict of Interest** in accordance with s150EQ of the Local Government Act 2009, with respect to matters contained in IFS3, IFS4 and IFS5 on the grounds that: Councillor Benn has a personal relationship with the tender applicant.

Councillor Benn indicated he would not participate in the discussion and decision making and would voluntarily leave the meeting.

Councillor Alex Benn gave notice of a **Prescribed Conflict of Interest** in accordance with S150EL of the Local Government Act 2009, in respect to matters contained in **CES8** on the grounds that: Councillor Benn is the director / share holder of this application.

Councillor Benn indicated that he would voluntarily leave the meeting and not participate in the debate or decision.

MEETING BUSINESS BY CORPORATE FUNCTION

(OCEO) OFFICE OF THE CEO

OCEO1

BALONNE SHIRE COUNCIL TO DETERMINE SUPPORT FOR SWQROC/ALGA NATIONAL GENERAL ASSEMBLY

Cr Fuhrmeister moved and Cr Avery seconded:

That Council supports the Notice of Motions from South West Queensland Regional Organisation of Councils (SWQROC) being submitted to the Australian Local Government National Local Government Assembly (LGA NGA) for consideration by Assembly delegates.

CARRIED UNANIMOUSLY

(FCS) FINANCE AND CORPORATE SERVICES

FCS1

CORPORATE CREDIT CARD POLICY

Cr Winks moved and Cr Benn seconded:

That Council resolves to:

- a) rescind the former Corporate Credit Card Policy of 22 July 2021; and
- b) adopt the Corporate Credit Card Policy, as attached;

CARRIED UNANIMOUSLY

FCS2

PROPOSED BORROWINGS - 2022-2023

Cr Benn moved and Cr Fuhrmeister seconded:

That Council resolves to:

1. advise Queensland Treasury Corporation that it does not intend to borrow for the 2022-2023 financial year for the purpose of the Infrastructure Services Works Depot, St George and draw down funds prior to 30 June 2023;
2. reapply to borrow for the 2023-2024 financial year for the purpose of the Infrastructure Services Works Depot, St George with a further decision from council to draw down if approved; and
3. progress the design and scope of the project to be 'shovel ready' prior to draw down of any future borrowings.

CARRIED UNANIMOUSLY

FCS3

DECLARATION OF INTEREST - APRIL - MAY: COUNCILLOR WORKSHOP

Cr Benn moved and Cr Fuhrmeister seconded:

That individual Councillors declare any declarable conflicts of interest for eligible Councillors to consider how they may or may not participate in Councillor workshops and/or meetings to comply with S150ER and S150ES of the Local Government Act 2009.

Airport & Industrial Land Development

Councillor Samantha O'Toole declared a Prescribed Conflict of Interest in accordance with S150EM(2) of the Local Government Act 2009, with respect to matters relating to the Airport & Industrial Development, on grounds that Councillor O'Toole and husband Jason O'Toole own and operate Balonne Airwork. Councillor O'Toole advised she would voluntarily leave any councillor workshop or standing committee meeting relating to this matter, in accordance with s150EQ(3) of the

Local Government Act 2009.

CARRIED UNANIMOUSLY

Nori Luff (Finance Services Manager) and Craig Dreher (Accountant) entered the meeting, the time being 9:36am.

FCS4

AUDIT & RISK COMMITTEE MINUTES 21 MARCH 2023

Cr Avery moved and Cr Scriven seconded:

That Council resolves to receive the Audit & Risk Committee Minutes dated 6 October 2022 and endorse the following recommendations:

1. FINANCIAL STATEMENTS ACTION PLAN 2022-2023

That the Financial Statements Action Plan 2022-2023 be received and noted.

2. INTERIM AUDIT PLAN 2022/23

That the Audit & Risk Committee receive and note the External Audit Plan 2022/2023.

3. QUEENSLAND AUDIT OFFICE - BRIEFING PAPER

That the Audit & Risk Committee receive and note the Queensland Audit Office Briefing Paper, as attached.

4. RISK MANAGEMENT QUARTERLY REPORT MARCH 2023

That the March 2023 Quarterly Report for Risk Management be received and noted.

CARRIED UNANIMOUSLY

FCS5

LOCAL GOVERNMENT REMUNERATION COMMISSION - REVIEW OF COUNCIL CATEGORIES

Cr Avery moved and Cr Scriven seconded:

That Council prepare a submission to the Local Government Remuneration Tribunal with respect to a review of Council Categories with the South West Regional Organisation of Councils and/or the Western Queensland Alliance of Councils who are a majority of category 1 Councils to ensure we have consistency with similar councils.

CARRIED UNANIMOUSLY

Chris Whitaker (Director Infrastructure Services) and Olivia Hoolihan (Project Officer) entered the meeting, the time being 10:00am.

FCS6

FINANCE REPORT - MONTH ENDING 31 MARCH 2023

Cr Fuhrmeister moved and Cr Winks seconded:

That Council resolves to:

1. Receive and note the monthly Financial Management Report for the period ending 31 March 2023, as attached; and
2. Adopt the amended budget in accordance with S170(3) of the Local Government Regulation 2012 as contained within the monthly Financial Management Report for the period ending 31 March 2023, as attached.

CARRIED UNANIMOUSLY

Nori Luff (Finance Services Manager) and Craig Dreher (Accountant) left the meeting, the time being 10:16am.

Council adjourned for morning tea, the time being 10:17am.
Council resumed from morning tea, the time being 10:47am.

(IFS) INFRASTRUCTURE SERVICES

IFS1

PARKS AND GARDENS STANDING COMMITTEE MINUTES AND RECOMMENDATIONS - 21 MARCH 2023

Cr Winks moved and Cr Fuhrmeister seconded:

That Council resolves to receive the Parks and Gardens Standing Committee Minutes dated 21 March 2023 and endorse the following recommendations:

1. **ROTARY PARK PEACE POLE**
That Council erects the peace pole and covers the cost of installation.
2. **WALTER AUSTIN PARK SHADE COVER**
That Council progresses the community infrastructure request, with Infrastructure Officers to quote and design a shade sail structure to compliment the new amenities block and be put forward as a budget request in the 23/24 financial year budget. Council to conduct a condition report of the playground prior to progressing.
3. **BOLLON MASTER PLAN – STYLE GUIDE**
That Council resolves to adopt the Draft Master Plan style guide and colour palette as an appendix to the Bollon Master Plan to create consistency throughout the Shire when Officers undertake renewals, upgrades or install new infrastructure.
4. **BUSH GARDEN – YARNING CIRCLE**
That Council resolves to install the Yarning Circle and seating at the Bush Garden in partnership with the St George Aboriginal Housing Company.
5. **FLAGTRAX BANNER SYSTEM**
That the Parks and Gardens Standing Committee receive the quote for the Flagtrax banner system and consider as an option for future installation on new or existing poles within the Shire.

CARRIED UNANIMOUSLY

IFS2

DIRRANBANDI RAIL AND RIVER - DESIGN

Cr Avery moved and Cr Benn seconded:

That Council resolves to

1. approve the designs - number MCE23345/C1 received from Durack Civil for the civil and landscape works, carparks, access road and Good Shed upgrades.
2. Drainage plans to come to council for further consideration and consult the adjacent residents and business owners.

CARRIED UNANIMOUSLY

Olivia Hoolihan (Project Officer) left the meeting, the time being 11:18am.

Councillor Alex Benn declared a **Declarable Conflict of Interest** in accordance with s150EQ of the Local Government Act 2009, with respect to matters contained in **IFS3, IFS4 and IFS5** on the grounds that: Councillor Benn has a personal relationship with the tender applicant.

Councillor Benn left the meeting the time being 11:18am.

IFS3

DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA) DIRRANBANDI RECONSTRUCTION WORKS CN202207

Cr Scriven moved and Cr Fuhrmeister seconded:

That Council resolves to:

1. Approve the awarding of tender CN202207– Dirranbandi Reconstruction Works to AH&JH Earthmoving for the tendered price of \$6,589,161.41 (excl. GST);

That Council resolves to:

2. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009, to negotiate and enter into contract, finalise and execute any and all matters in relation to this procurement activity. Council may choose to defer award of contract until a revised funding schedule is received from QRA for the Phase 2 submission approval.

CARRIED UNANIMOUSLY

Councillor Winks would like to request to see a broader scope of works presented going forward with tenders.

Digby Whyte (Director Community and Environmental Services) entered the meeting, the time being 11:33am.

IFS4

DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA) NORTH EAST 2 RECONSTRUCTION WORKS CN202208

Cr Avery moved and Cr Fuhrmeister seconded:

That Council resolves to:

1. That Council resolves to approve the awarding of tender CN202208– North East 2 Reconstruction Works to AH&JH Earthmoving for the tendered price of \$3,977,686.07 (excl. GST);

That Council resolves to:

3. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009, to negotiate and enter into contract, finalise and execute any and all matters in relation to this procurement activity. Council may choose to defer award of contract until a revised funding schedule is received from QRA for the Phase 2 submission approval.

CARRIED UNANIMOUSLY

Councillor Winks would like to request to see a broader scope of works presented going forward with tenders.

Dianne Francisco (Manager Environmental Services) entered the meeting, the time being 11:33am.

IFS5

DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA) NORTH EAST 1 RECONSTRUCTION WORKS CN202209

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to:

1. Approve the awarding of tender CN202209– North East 1 Reconstruction Works to AH&JH Earthmoving for the tendered price of \$6,046,876.42 (excl. GST);

That Council resolves to:

2. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009, to negotiate and enter into contract, finalise and execute any and all matters in relation to this procurement activity. Council may choose to defer award of contract until a revised funding schedule is received from QRA for the Phase 2 submission approval.

CARRIED UNANIMOUSLY

Councillor Winks would like to request to see a broader scope of works presented going forward with tenders.

Chris Whitaker (Director Infrastructure Services) left the meeting, the time being 11:40am.

Councillor Benn returned to the meeting, the time being 11:41am.

Note: Councillor O'Toole and Councillor Avery notified the table of a perceived conflict of interest in respect to matters contained in CES1 on grounds that: Councillor O'Toole and Councillor Avery have children and grandchildren attending the St Patricks School. Under the Local Government Act 2009 this is not a declarable conflict of interest – S150EO (iv)

Councillor O'Toole and Councillor Avery therefore remained in the room.

(CES) COMMUNITY AND ENVIRONMENTAL SERVICES

CES1

COMMUNITY GRANT APPLICATION: ST PATRICK'S PRIMARY P&F COMMITTEE

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to approve the sponsorship request of \$3,000 from St Patrick's Primary School P&F Committee to hold a 'Cocktails and Comedy' event in June / July 2023 (date to be confirmed) as a fundraiser for student resources, subject to Council receiving a Certificate of Incorporation and a current Certificate of Currency.

CARRIED UNANIMOUSLY

CES2

COMMUNITY GRANT APPLICATION (TRAFFIC MANAGEMENT): RSL ST GEORGE SUB-BRANCH INC

Cr Scriven moved and Cr Winks seconded:

That Council resolves to approve the Community Grant (Traffic Management) request in the amount of \$2,189 being for Traffic Management for the St George ANZAC Day Dawn Service, March, and Morning Service along St George's Terrace to the Cenotaph on 25 April 2023.

CARRIED UNANIMOUSLY

CES3

BALONNE SHIRE YOUTH COUNCIL MARCH 2023 MEETING

Cr Winks moved and Cr Benn seconded:

That Council receive the minutes from the Youth Council Meeting held on 15 March 2023.

CARRIED UNANIMOUSLY

CES4

ADOPTION OF THE ANIMAL MANAGEMENT PLAN (CATS AND DOGS) 2023.
ADOPTION OF THE COMPLIANCE AND ENFORCEMENT POLICY 2023

Cr Fuhrmeister moved and Cr Avery seconded:

That Council resolves to adopt the Animal Management Plan (Cats and Dogs) 2023 together with the Balonne Shire Council Compliance and Enforcement Policy.

CARRIED UNANIMOUSLY

Dianne Francisco (Manager Environmental Services) left the meeting, the time being 12:03pm.

Kate Swepson (Maranoa Planning Consultant) joined the meeting via teleconference, the time being 12:04pm.
Fiona Macleod (Planning and Development Officer) entered the meeting, the time being 12:05pm.

CES5

BSC PLANNING SERVICE CHARTER

Cr Winks moved and Cr Benn seconded:

That Council resolves to adopt the BSC Planning Service Charter to support economic development outcomes in the Balonne Shire.

CARRIED UNANIMOUSLY

CES6

BSC DEVELOPMENT INCENTIVES POLICY

Cr Winks moved and Cr Avery seconded:

That Council resolves to adopt the BSC Development Incentives Policy to support economic development outcomes in the Balonne Shire.

CARRIED UNANIMOUSLY

CES7

**APPLICATION FOR A PERMIT TO OCCUPY - CHANGE OF REGISTERED PERMITTEE -
LOCATED OVER LOT A ON CP AP22893**

Cr Fuhrmeister moved and Cr Winks seconded:

That:

1. Council does not object to the Application for Absolute of Surrender and Reissue of Permit to Occupy over Lot A on CP AP22893 for 'water facility' purposes; and
2. Council provides **Part C – Statement in relation to an application under the *Land Act 1994 over State Land*** to Inland Legal with no objection to the Application of Permit to Occupy over Lot A on CP AP22893 for 'water facility' with the same terms as the previous Registered Permittee.

CARRIED UNANIMOUSLY

Councillor Alex Benn gave notice of a **Prescribed Conflict of Interest** in accordance with S150EL of the Local Government Act 2009, in respect to matters contained in **CES8** on the grounds that: Councillor Benn is the director / share holder of this application.

Councillor Benn left the meeting, the time being 12:17pm.

MCU166 – MINOR CHANGE APPLICATION FOR MATERIAL CHANGE OF USE – “HEALTH CARE PREMISES EXTENSION” LOCATED AT 116 ALFRED STREET, ST GEORGE QLD 4487 (DESCRIBED AS LOT 4 ON SP318368)

Cr Avery moved and Cr Fuhrmeister seconded:

That:

- a) Council receives this report.
- b) Council issues an amended decision notice to the applicant and each referral agency, that states that Council agrees to amend Development Approval MCU166 for a Material Change of Use – “Health Care Premises Extension” MCU166 – Minor Change Application for Material Change of Use – “Health Care Premises Extension” located at 116 Alfred Street, St George QLD 4487 (described as Lot 4 on SP318368), properly described as Lot 4 on SP318368 as follows:

Condition 1 be amended from:

1. The development must be carried out generally in accordance with the Balonne Shire Council stamped/approved plan(s) and supporting documentation referenced in the table below which forms part of this approval, unless otherwise specified by any condition of this approval.

<i>Plan/Document Number</i>	<i>Plan/Document Name</i>	<i>Date</i>
19209602	Proposed Site Plan	10.12.18
19209604	Proposed Floor Plan	10.12.18
19209608	Proposed Elevations	10.12.18

To:

1. The development must be carried out generally in accordance with the Balonne Shire Council stamped/approved plan(s) and supporting documentation referenced in the table below which forms part of this approval, unless otherwise specified by any condition of this approval.

<i>Plan/Document Number</i>	<i>Plan/Document Name</i>	<i>Date</i>
Drawing No. 001	Proposed Site Plan	undated
19209604	Proposed Floor Plan	10.12.18
19209608	Proposed Elevations	10.12.18

And;

Amend the Real property description from Lot 4 on SP276756 to 4 SP318368

CARRIED UNANIMOUSLY

Councillor Benn returned to the meeting, the time being 12:21pm.

Note: Councillor O’Toole notified the table of a perceived conflict of interest in respect to matters contained in CES9 on grounds that: Councillor O’Toole’s husband, Jason O’Toole is related to the owner of Lot 72 on SP141391, not the applicant Woodham Petroleum. Councillor O’Toole remained in the room.

MCU 212 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - SERVICE STATION (UNMANNED REFUELLING FACILITY) LOCATED AT 23-27 BUCHAN BYPASS, ST GEORGE QLD 4487 (DESCRIBED AS LOT 72 ON SP141391)

Cr Fuhrmeister moved and Cr Scriven seconded:

That:

1. Council receives this report.
2. Council approves the development application Material Change of Use – “Service Station (Unmanned Refuelling Facility)” located at 23-27 Buchan Bypass, St George QLD 4487 properly described as Lot 72 on SP141391, subject to the permit conditions listed below.

Conditions of Approval

Use

3. The approved development is a “Service Station” (Unmanned Refuelling Facility) as defined in the Planning Scheme and Planning Act 2016 respectively, and as shown on the approved plans.

Compliance inspection

4. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted in these conditions.
5. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

Approved plans and documents

6. All works and operations are to be carried out generally in accordance with the approved plans listed in the following table. Where the approved plans conflict with the Assessment Managers conditions, the Assessment Manager’s conditions prevail.

Plan/Document Number:	Plan/Document Name:	Date:
Drawing No: 23022-D01	Overall Site Plan	27/02/2023
Drawing No: 23022-D02	Proposed Site Plan & AB-Triple Swept Paths	27/02/2023
Drawing No: LTBL-60-GA	Selfbundled Tank Logitank Blue 60 General Arrangement	25/11/2015

Development works

7. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriate qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
8. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners’ requirements and

specifications and to the satisfaction of the asset owners' representative(s).

9. All works on or near roadways shall be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".

Applicable standards

10. All works must comply with:
 - a. the development approval conditions;
 - b. any relevant provisions in the Planning Scheme;
 - c. Balonne Shire Council Private Property Entrance Policy 2010;
 - d. any relevant Australian and Austroads Standards and the National Construction Code that applies to that type of work; and
 - e. any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Stormwater drainage

11. Stormwater drainage is to be provided in accordance with:
 - a. Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013; and
 - b. Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987.
12. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed. The developer shall ensure that in all cases, discharge of stormwater runoff from the development drains freely to the legal point/s of discharge for the development.
13. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed.
14. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.
15. Stormwater management of the development must ensure no worsening or actionable nuisance of the road reserve being Buchan Bypass.

Waste management

16. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
17. Adequate refuse storage areas and facilities must be provided on the site to service the

approved development. Refuse storage facilities are to be screened from view at the street frontage and from adjoining properties.

18. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

Earthworks and construction

19. During construction, erosion controls and silt collection measures are to be put in place to protect environmental values and mitigate potential impacts to adjoining properties and roadway/s.
20. All earthworks for the development shall be undertaken in accordance with the Institute of Public Works Engineering Australasia Queensland Division.

Note: A operational works approval will be required for excavation and/or filling works that would result in a change of 1m or more in the level of any part of the land or where any drainage path is affected.

Avoiding nuisance

21. No nuisance is to be caused to adjoining properties and occupiers by the way of noise smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.
22. Dust emanating as result of activities carried out onsite (both during construction and post construction) must be continually monitored and suppressed in order to prevent any dust drifting onto road networks and nearby properties and sensitive land uses.
23. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
24. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses (during construction and post construction). The premises is to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
25. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Noise) Policy 2008*.
26. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Air) Policy 2008*.

Environment

27. The area surrounding the refuelling facility tank that is within reach of the fuel dispenser/s must be bunded and appropriate pollution control devices and methods implemented to contain potential spills and prevent discharge of contaminants from the site.

Hours of construction

28. Unless otherwise approved in writing by the Council, approved hours of construction are

restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.

Provision of services

29. The development must be connected to Council's reticulated water supply network in accordance with the applicable standards and policies.
30. The development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
31. All services installation connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such design exist, (iv) any relevant Australian Standard that applies to the type of work and (v) any alternative specifications that Council has agreed to in writing and which the development must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Access, manoeuvring and car parking

32. The developer shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. Should any damage be caused at the approved access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
33. Existing vehicle access from Buchan Bypass to the site is to be constructed and maintained with a sealed surface. The crossover design must provide for two way access and cater for the maximum vehicle size accessing the site, ensuring no damage occurs to the adjoining roadway.
34. Vehicle driveways, access, car parking and manoeuvring areas are to be constructed of a sealed or compacted gravel surface to prevent dust nuisance.
35. All vehicle movements within the site are to be clear of proposed parking areas, buildings and landscape treatments. Vehicle parking bays must not encroach into swept paths for vehicle movements onsite.
36. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.
37. Car parking and manoeuvring areas are to be designed in accordance with:
 - a. AS2890.1 – Parking Facilities
 - b. Austroads AP-34/95 - Design Vehicles and Turning Path Templates; and
 - c. The Access to Premises Standard' (Vol 1 of the National Construction Code).

Landscaping

38. Landscaping is to be provided adjacent to the site frontage to Buchan Bypass along the extent of the development area. Landscaping is to include varieties that will grow to a minimum height of 3m. Landscaping areas must contribute to the amenity of development by enhancing the visual appeal and softening the built form.
39. A Landscaping Plan is to be submitted to and approved by Council prior to the commencement of the use. The Landscaping Plan is to be prepared by an appropriately qualified person, and must include details of the location and species of plants and the irrigation system. Plants are to be drought hardy, and must not include weed species. Root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Note: Refer to Planning Scheme Policy SC6.2 – Landscaping for Council’s preferred species list.

40. All landscaping works are to be completed prior to the commencement of the use.

Development Costs

41. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

Latest versions

42. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

Application documentation

43. It is the developer’s responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing ‘Council Approval’.

Document control

44. Should amendments be required to the approved plans and/or documents during construction, amended drawings and/or specifications shall be submitted to Council with an accompanying letter outlining the amendment together with any supporting information. All amendments shall be provided to Council for approval prior to the works being undertaken.

General advice:

- I. Refer to <https://www.balonne.qld.gov.au/council/publications/policies-plans-strategies> for Council Policies.
- II. The relevant planning scheme for this development is *Balonne Shire Planning Scheme*

2019. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to this Planning Scheme.

- III. The land use rating category may change upon commencement of any new approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: www.balonne.qld.gov.au.

IV. Under the *Balonne Shire Planning Scheme 2019*:

- a. **Service Station** means: *Premises used for the sale of fuel including petrol, liquid petroleum gas, automotive distillate and alternative fuels. The use may include, where ancillary, a shop, food and drink outlet, maintenance, repair servicing and washing of vehicles, the hire of trailers, and supply of compressed air. The use does not include a car wash.*

- V. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.

- VI. All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.

- VII. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved development.

- VIII.A Works in a Road Reserve Permit will be required from Council for any works associated with the development that are undertaken within the Council road reserve by private contractor/entity.

- IX. Refer to [Service stations | WorkSafe.qld.gov.au](http://www.WorkSafe.qld.gov.au) the regulatory body for Service Stations in Queensland.

- X. All persons involved in the development, operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.

- XI. An Operational works application will be required to be submitted to and approved by Council for:

- a. Operational works that is excavation and/or filling where there would be a change 1m or more in the level of any part of the land or where any drainage path is affected; or

- b. Operational works for urban purposes that involve disturbing more than 2,500m² of land.

XII. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

CARRIED UNANIMOUSLY

Kate Swepson (Maranoa Planning Consultant) left the meeting via teleconference, the time being 12:36pm.
Fiona Macleod (Planning and Development Officer) left the meeting, the time being 12:37pm.

Digby Whyte (Director Community and Environmental Services) left the meeting, the time being 12:45pm.

Council adjourned for lunch and councillor interviews, the time being 12:46pm.
Council resumed from lunch and councillor interviews, the time being 3:17pm.

CLOSED MEETING

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council move into closed session, the time being 3:17pm in accordance with S254J (1) of the Local Government Regulations 2012 relating to discuss confidential agenda item: OCEO1 and CCFS1.

CARRIED UNANIMOUSLY

OPEN MEETING

Cr Winks moved and Cr Fuhrmeister seconded:

That the meeting move out of closed session, the time being 3:38pm.

CARRIED UNANIMOUSLY

CONFIDENTIAL ITEMS

(COCEO) OFFICE OF THE CEO

COCEO1 ST GEORGE WATER SCHEME - PROPOSED AGREEMENT

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to:

1. Adopt the tender consideration plan, as attached; and
2. Delegate to the Chief Executive Officer in accordance with S257(1)(b) of the Local Government Act 2009 to negotiate, finalise and execute a renewed Loss of Water Agreement with Mallawa Irrigation Pty Ltd.

CARRIED UNANIMOUSLY

(CFCS) FINANCE AND CORPORATE SERVICES

CCFS1 REFRESH - PREFERRED SUPPLIERS ARRANGEMENT - TRADE SERVICES

Cr Benn moved and Cr Avery seconded:

1. That Council resolves to appoint the following new respondents, to the Register of Pre-Qualified Suppliers for Trade Services:
 - ACE Compliance & Safety Services
 - CEK Spraying Pty Ltd
 - Creative Playground Surfaces Pty Ltd
 - Dirran Bobcat Service
 - Greyman Ops
 - JRB Precision
 - Magoo's Tree Lopping
 - O'Brien Toyota
 - Pacific Water Treatment Services
 - Placid Hills Turf
 - Rentokil Initial Pty Ltd
 - Schurmann Fencing

CARRIED UNANIMOUSLY

GENERAL BUSINESS - NIL

COUNCILLOR REPORTS

That Council receive and note the Councillor reports on their activities during the preceding month.

INFORMATION REPORTS

(IOCEO) OFFICE OF THE CEO

IOCEO1 TOURISM SERVICES MONTHLY REPORT

IOCEO2 ECONOMIC DEVELOPMENT UPDATE MARCH 2023

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 MONTHLY REPORT DIRECTOR FINANCE & CORPORATE SERVICES - MARCH 2023

ICFS2 GRANT MONTHLY REPORT - APRIL 2023

(IIFS) INFRASTRUCTURE SERVICES

IIFS1 DEPARTMENT OF INFRASTRUCTURE SERVICE'S MONTHLY REPORT

IIFS2 **SAFETY MONTHLY REPORT - MARCH 2023**

IIFS3 **DRFA MONTHLY STATUS REPORT – MARCH 2023**

(ICES) COMMUNITY AND ENVIRONMENTAL SERVICES

ICES1 **MONTHLY REPORT COMMUNITY AND ENVIRONMENTAL SERVICES - MARCH 2023**

There being no further business, the Meeting closed, the time being 4:39pm.

Confirmed at a Ordinary Meeting of the Council held on 18 May 2023.

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MAYOR